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Patent
7272-132 / 10314101
S.N. 10/729,577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Sukeyuki SHINOTSUKA

Serial No.: 10/729,577

Filed: December 3, 2003

For: IMAGE SENSOR AND METHOD

Group Art Unit: 2614

Examiner: Unknown

PETITION TRANSMITTAL

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Petition Under 37 C.F.R. 1.182 To Accept Substitute Translation of PCT Claims.

We also enclose a SUBSTITUTE TRANSLATION OF PCT ORIGINAL CLAIMS.

Please charge Fulbright & Jaworski's Deposit Account No. 50-0337 in the amount of \$130.00 for the Petition Fee Under 37 CFR 1.17(h).

Certificate of Mailing
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 29, 2005

By: Diane C. Smith
Diane C. Smith


Patent
7272-132 / 10314101
S.N. 10/729,577

The Commissioner is authorized to charge Fulbright & Jaworski's Deposit Account No. **50-0337** for any additional fees which may be required regarding this communication, and to credit any overpayments to said Deposit Account **50-0337**.

Respectfully submitted,
Fulbright & Jaworski LLP

Dated: April 29, 2005

By: _____

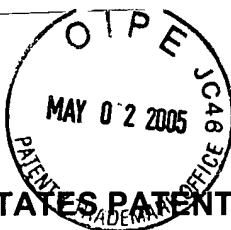

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7272-132/10314101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor: Sukeyuki Shinotsuka

Serial No.: 10/729,577

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**PETITION UNDER 37 C.F.R. 1.182
TO ACCEPT SUBSTITUTE TRANSLATION OF PCT CLAIMS**

Applicant respectfully petitions the Commissioner under 37 C.F.R. 1.182, or whichever PTO Rule is appropriate, to accept a substitute English translation of the original Japanese PCT claims for the set of English language claims filed with this U.S. National Phase application on December 3, 2003. It is believed that this Petition is necessary for correcting an inadvertent error by the undersigned counsel for applicant to comply with 35 U.S.C. 371.

According to MPEP § 1002.02(p), paragraph No. 1, it would appear that it is appropriate for this Petition to be considered by the PCT Legal Administrator.

APPLICATION FILING HISTORY

This National Phase application was filed on December 3, 2003 with an English translation of the Japanese language PCT application PCT/JP02/003481 specification and abstract, as well as other formal papers. However, the claims 1-22 in English that were filed

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Dated: April 29, 2005

By:

Diane C. Smith
Diane C. Smith

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were not a direct translation of the original claims 1-14 in the Japanese PCT application, but rather, the undersigned counsel for applicant prepared the new set of claims 1-22 that (a) incorporated claim amendments that had been made in the PCT application after the International Search Report and (b) added method claims 14-22 which didn't appear in the PCT application or its amended claims 1-14 cancelling claim 3. In essence, counsel for applicant incorrectly treated the claims of this National Phase application as a "Continuation" based on the PCT application by substituting what counsel believed were more appropriate claims for the U.S. without any "new matter." However, 35 U.S.C. 371 requires "a translation" of the entire international application, without claim amendments unless provided separately, for filing the National Phase, even though applicant is entitled to simultaneously file a Preliminary Amendment to revise the claims. This error by counsel was unintentional.

Counsel for applicant recently discovered the impropriety of filing a revised claim set as the "translation" of the PCT claims when, in connection with a separate National Phase application, counsel received a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DU/EO/905) ("NOTICE") that required a new translation of the PCT application because "the number of claims in the International Application and the number of claims in the translation are not the same." No such NOTICE was received with respect to the subject application even though the PCT International Application had 14 original claims and this National Phase was filed with claims 1-22. This National Phase application did receive a "Notice To File Missing Parts of Nonprovisional Application" requiring an Oath or Declaration and additional fees, which has been accomplished.

RELIEF REQUESTED

Applicant petitions and requests that the attached SUBSTITUTE TRANSLATION OF

PCT ORIGINAL CLAIMS be accepted and filed, as a substitute for the original claims 1-22 filed herein as though filed with the original National Phase application papers, and further, that the filing date of December 3, 2003 be retained, all for purposes of complying with 35 U.S.C. 371.

PROSECUTION HISTORY AND PROPOSED PRELIMINARY AMENDMENT

No Office Action on the merits has been received with respect to this application. In the event this Petition is granted, Applicants intend to immediately file a Preliminary Amendment that will amend the 14 claims in the attached SUBSTITUTE TRANSLATION OF PCT ORIGINAL CLAIMS to conform to the set of 22 claims that were filed with this application. Of course, if the Decision on petition directs Applicants to resolve this matter in some other manner, we will do so.

CONCLUSION

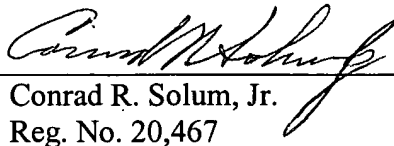
A favorable consideration of this Petition is respectfully requested. If the PTO official reviewing this wishes any further explanation of the situation or needs any further documentation, he or she is requested to telephone the counsel for applicant that will be responsible for this case hereafter namely, John D. McConaghy.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

Date: April 29, 2005

By


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SUBSTITUTE TRANSLATION OF PCT ORIGINAL CLAIMS

1. An image sensor comprising a matrix of solid-state light sensor elements, each of which represents a unit pixel and is capable of reading out in a time series sensor signals of respective pixels by sequentially selecting pixel lines one by one and sequentially selecting sensor signals one by one in a selected pixel line, characterized in that each of the pixel lines is evenly divided into a plurality of blocks each composed of a specified number of pixels and a first scanning means is provided for sequentially reading out pixel sensor signals on block-by-block basis starting from a first block and a second scanning means is provided for sequentially reading out pixel sensor signals on pixel-by-pixel basis from a selected block.

2. An image sensor as defined in claim 1, characterized in that the first scanning means comprises a pixel selecting circuit for providing signals for sequentially selecting pixels on the line-by-line basis and a switch circuit for outputting sensor signals according to the pixel selecting signals from the pixel selecting circuit, and the second scanning means comprises a pixel selecting circuit for providing a signal for sequentially selecting pixels on block-by-block basis and a switch circuit for outputting sensor signals according to the pixel selecting signals from the pixel selecting circuit.

3. An image sensor as defined in claim 2, characterized in that the first scanning means is provided with a bias circuit for converting a sensor signal read from a corresponding pixel as a voltage value by using a reference resistance with a bias voltage applied thereto.

4. An image sensor as defined in claim 2, characterized in that the pixel selecting circuits of the first scanning means and the second scanning means are composed each of a shift register circuit or a decoder circuit.

5. An image sensor as defined in claim 2, characterized in that the duration of a pixel selecting signal provided by the first scanning means corresponds to a time necessary for selecting pixels of one block.

6. An image sensor as defined in claim 1, characterized in that the solid-state light sensor element is a light sensor circuit which is capable of producing in a photoelectric converting element a sensor current proportional to the quantity of light falling thereon, converting the sensor current into a voltage signal by a transistor with a logarithmic output

characteristic in a weak inverse state, and outputting a sensor signal corresponding to the voltage signal.

7. An image sensor as defined in claim 6, characterized in that the light sensor circuit is initialized before detecting light by removing an electric charge remaining in a parasitic capacity of the photoelectric converting element by changing a drain voltage of a MOS type transistor having a logarithmic output characteristic in a weak inverse state lower than a normal working value.

8. An image sensor comprising a matrix of solid-state light sensor elements, each of which represents a unit pixel and is capable of reading out in a time series sensor signals of respective pixels by sequentially selecting pixel lines one by one and sequentially selecting sensor signals one by one in a selected pixel line, characterized in that each of the pixel lines is evenly divided into a plurality of blocks each composed of a specified number of pixels and a first scanning means is provided for sequentially reading out pixel sensor signals on block-by-block basis starting from a first block, a buffer means is provided for temporally storing pixel sensor signal of a readout block and a second scanning means is provided for sequentially reading out the pixel sensor signals temporally stored in the buffer means.

9. An image sensor as defined in claim 8, characterized in that the first scanning means comprises a pixel selecting circuit for providing signals for sequentially selecting pixels on line-by-line basis and a switch circuit for outputting pixel sensor signals according to the pixel selecting signals from the pixel selecting circuit and the second scanning means comprises a pixel selecting circuit for providing a signal for sequentially selecting pixels on block-by-block basis and a switch circuit for outputting sensor signals according to the pixel selecting signals from the pixel selecting circuit.

10. An image sensor as defined in claim 8, characterized in that the first scanning means is provided with a bias circuit for converting each sensor signal read from a corresponding pixel to a voltage value by using a reference resistance with a bias voltage applied thereto.

11. An image sensor as defined in claim 9, characterized in that the pixel selecting circuits of the first scanning means and the second scanning means are composed each of a shift register circuit or a decoder circuit.

12. An image sensor as defined in claim 9, characterized in that the duration of a pixel selecting signal provided by the first scanning means corresponds to a time necessary for selecting all pixels of one block.

13. An image sensor as defined in claim 8, characterized in that the solid-state light sensor element is a light sensor circuit which is capable of producing in a photoelectric converting element a sensor current proportional to the quantity of light falling thereon, converting the sensor current into a voltage signal by a transistor with a logarithmic output characteristic in a weak inverse state and outputting a sensor signal corresponding to the voltage signal.

14. An image sensor as defined in claim 13, characterized in that the light sensor circuit is initialized before detecting light by removing an electric charge remaining in a parasitic capacity of the photoelectric converting element by changing a drain voltage of a MOS type transistor having a logarithmic output characteristic in a weak inverse state lower than a normal working value.